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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bauerlein, Peter
Title: NI/METAL HYDRIDE
SECONDARY ELEMENT
Appl. No.: 09/909,497
Filing Date: 07/20/2001
Examiner: Dah Wei D. Yuan
Art Unit: 1745

Commissioner for Patents
Alexandria, Virginia 22313-1450

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SCOTT M. DAY
(Printed Name)

(Signature)

REPLY AND AMENDMENT

This Reply and Amendment is responsive to the Non-Final Office Action dated February 13, 2003, concerning the above-identified patent application. Applicant has enclosed with this Reply a Petition for Extension of Time to make this response timely.

The amendments presented in this Reply and Amendment are in compliance with the revised format permitted in the Notice from the Office of Patent Legal Administration of the U.S. Patent and Trademark Office dated February 10, 2003, and published at 1267 O.G. 106 on February 25, 2003. Accordingly, the provisions of 37 C.F.R. §§ 1.121(a), (b), (c), and (d) are waived for the amendments made in this application to the Claims in this Reply and Amendments.

Amendments to the claims are reflected in the Listing of Claims which begin on page 2 of this document.